

-PS-O-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LUIS ANDINO,

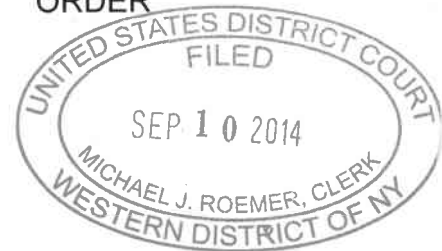
Plaintiff,

-v-

FREDRICK LOMY, Commissioner of Corrections,

Defendants.

13-CV-1225A
ORDER



On August 1, 2014, the Court, *inter alia*, granted plaintiff permission to proceed *in forma pauperis*, dismissed a number of claims pled in the complaint, directed service of the summons and complaint on the remaining claims against certain defendants and requested the Erie County Attorney's Office to attempt to identify two of the unidentified defendants named in the complaint--Sgt. John Doe and Corrine, Medical Director. (Docket No. 6.) The County Attorney's Office responded to said request by notifying the Court that Sgt. John Doe was Sgt. William Payne but that it could not identify Corrine, Medical Director. Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court is directed to amend the caption of this action by including Sgt. William Payne as a defendant in the place of Sgt. John Doe, and the Clerk of the Court is directed to cause the United States Marshals Service to serve the Summons, Complaint, the Order filed August 1, 2014 (Docket No. 6), and this Order upon said defendant;

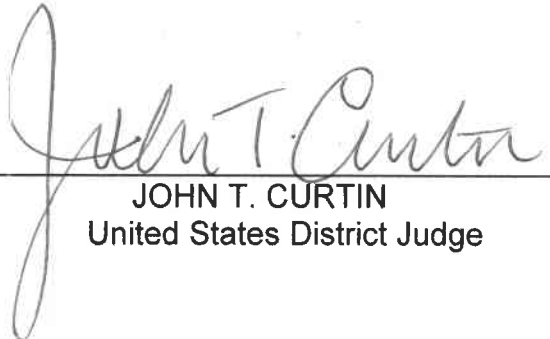
FURTHER, that pursuant to 42 U.S.C. § 1997(g)(2), Payne is directed to respond to complaint; and

FURTHER, that plaintiff is directed to identify defendant Corrine, Medical Director, through discovery as soon as possible, and then apply to this Court for an order directing amendment of the caption and service on said defendant as soon as she has been identified.

SO ORDERED.

DATED:

9/10, 2014
Buffalo, New York



JOHN T. CURTIN
United States District Judge